



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Q.W.B., Correction  
Officer Recruit (S9988T), Department  
of Corrections

Medical Review Panel Appeal

CSC Docket No. 2017-361

**ISSUED:** September 11, 2018 (BS)

Q.W.B., represented by Corey M. Sargeant, Esq. appeals his rejection as a Correction Officer Recruit<sup>1</sup> candidate by the Department of Corrections and its request to remove his name from the eligible list for Correction Officer Recruit (S9988T) on the basis of psychological unfitness to perform effectively the duties of the position.

This appeal was brought before the Medical Review Panel on October 27, 2017, which rendered the attached report and recommendation on October 27, 2017. Exceptions were filed on behalf of the appellant.

The report by the Medical Review Panel discusses all submitted evaluations. It notes that Dr. Rachel Safran (evaluator on behalf of the appointing authority) carried out a psychological evaluation of the appellant and characterized the appellant as evidencing significant problems with substance abuse/misuse, poor dutifulness, poor judgment, emotional dysregulation, and poor stress tolerance. Dr. Safran noted that the appellant also had a history of poor vocational functioning, which included six terminations as well as discipline for lateness and cellphone use. Although the appellant told Dr. Safran that he had never been involved in any mental health treatment, the biographical summary showed that he sought treatment for depression and was diagnosed with an adjustment disorder. Dr. Safran also expressed serious concern about the appellant's history of depression

<sup>1</sup> Pursuant to *N.J.S.A.* 11A:2-11.1, effective May 1, 2018, the title of Correction Officer Recruit has been retitled to Correctional Police Officer.

and suicidal ideation. Dr. Safran concluded that the appellant was not psychologically suited for employment as a Correction Officer Recruit.

Dr. Pamela Dengrove (evaluator on behalf of the appellant) carried out a psychological evaluation of the appellant and opined that the appellant was psychologically suitable for employment as a Correction Officer Recruit. Dr. Dengrove opined that Dr. Safran's conclusions and recommendations regarding the appellant's psychological suitability were based on biographical incidents which were remote in time, 2013 or earlier. Dr. Dengrove indicated that the appellant's current test results were "unremarkable" for any acute mental illness or distress. Additionally, psychological test results in conjunction with the collateral and clinical interviews indicate no evidence of a major mental health or substance abuse disorder being present. Dr. Dengrove noted that the sequence of events from 2008 to 2013 were immature reactions to familial conflict, poor lifestyle choices, and immaturity which the appellant readily acknowledges. Since that time, in addition to having no further incidents, the appellant has taken appropriate steps to mitigate these issues, including ceasing substance abuse, involvement in church activities, maintaining stable employment, and resolving family conflict. Dr. Dengrove concluded that the appellant was currently psychologically stable and suited for employment as a Correction Officer Recruit.

The evaluators on behalf of the appellant and the appointing authority reached differing conclusions and recommendations. The Panel concluded that the negative recommendation related to problems with the appellant's significant substance misuse/abuse, poor dutifulness, poor judgment, emotional dysregulation, and poor stress tolerance. In spite of the appellant's efforts to correct the mistakes of the past, the Panel still has significant concerns. Specifically, the appellant's substance misuse/abuse, problematic credit history, his terminations, and his endorsement of bias items which would make it difficult working in a corrections environment. The Panel noted that appellant had been working toward making the necessary changes in his life and encouraged him to keep moving in that direction. Accordingly, the Panel concluded that the test results and procedures and the behavioral record, when viewed in light of the Job Specification for Correction Officer Recruit, indicate that the candidate is psychologically unfit to perform effectively the duties of the position sought, and therefore, the action of the hiring authority should be upheld. Accordingly, the Panel recommended that the applicant be removed from the eligible list.

In his exceptions, the appellant states that he does not deny the issues cited in the Panel's report and recommendation, but argues that his own evaluation provided to the Panel "should hold more weight." The appellant asserts that all of the issues documented occurred in the past and, aside from a minor discipline in 2015, all of the incidents occurred prior to 2014. The appellant contends that since then, he has made "monumental" changes in his life and he is "a new person"

engaged in healthy, positive activities. He has rectified internal, past issues with his family and has a strong support system. The appellant requests that his name be restored to the eligible list or, in the alternative, be referred to an independent psychological evaluator to determine his psychological suitability.

### CONCLUSION

The Job Specification for Correction Officer Recruit is the official job description for such State positions within the civil service system. According to the specification, an Officer is involved in providing appropriate care and custody of a designated group of inmates. These Officers must strictly follow rules, regulations, policies and other operational procedures of that institution. Examples of work include: encouraging inmates toward complete social rehabilitation; patrolling assigned areas and reporting unusual incidents immediately; preventing disturbances and escapes; maintaining discipline in areas where there are groups of inmates; ensuring that institution equipment is maintained and kept clean; inspecting all places of possible egress by inmates; finding weapons on inmates or grounds; noting suspicious persons and conditions and taking appropriate actions; and performing investigations and preparing detailed and cohesive reports.

The specification notes the following as required skills and abilities needed to perform the job: the ability to understand, remember and carry out oral and written directions and to learn quickly from written and verbal explanations; the ability to analyze custodial problems, organize work and develop effective work methods; the ability to recognize significant conditions and take proper actions in accordance with prescribed rules; the ability to perform repetitive work without loss of equanimity, patience or courtesy; the ability to remain calm and decisive in emergency situations and to retain emotional stability; the ability to give clear, accurate and explicit directions; and the ability to prepare clear, accurate and informative reports of significant conditions and actions taken.

The Civil Service Commission has reviewed the job specification for this title and the duties and abilities encompassed therein and found that the psychological traits, which were identified and supported by test procedures and the behavioral record, relate adversely to the appellant's ability to effectively perform the duties of the title. The Commission finds that the appellant's exceptions do not provide substantive arguments which would dispute the findings and recommendations of the Panel in this regard. While the Commission encourages the appellant to continue moving in a positive direction, the Commission shares the Panel's concerns which centered on the appellant's substance misuse/abuse, problematic credit history, his terminations, and his endorsement of bias items which would make it difficult working in a corrections environment. Prior to making its report and recommendation, the Commission notes that the Panel conducts an independent review of all of the raw data presented by the parties as well as the raw data and

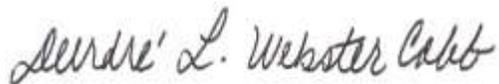
recommendations and conclusions drawn by the various evaluators prior to rendering its own conclusions and recommendations, which are based firmly on the totality of the record presented to it. The Panel's observations regarding the appellant's employment history, responses to the various assessment tools, and appearance before the Panel are based on its expertise in the fields of psychology and psychiatry, as well as its experience in evaluating hundreds of appellants. Therefore, having considered the record and the Medical Review Panel's report and recommendation issued thereon and having made an independent evaluation of same, the Civil Service Commission accepted and adopted the findings and conclusions as contained in the attached Medical Review Panel's report and recommendation.

### ORDER

The Civil Service Commission finds that the appointing authority has met its burden of proof that Q.W.B. is psychologically unfit to perform effectively the duties of a Correction Officer Recruit and, therefore, the Commission orders that his name be removed from the subject eligible list.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 5TH DAY OF SEPTEMBER, 2018




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Deirdre L. Webster Cobb  
Chairperson, Civil Service Commission

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Attachment

c: Q.W.B.  
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